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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,587	04/21/2004	Curtis G. Wong	MS141394.02 / MSFTP122USA	5559
27195	7590	08/10/2007	EXAMINER	
AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			MIZRAHI, DIANE D	
			ART UNIT	PAPER NUMBER
			2165	
			MAIL DATE	DELIVERY MODE
			08/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/828,587

Applicant(s)

WONG ET AL.

Examiner

DIANE D. MIZRAHI

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 58-77 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 58-77 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DIANE MIZRAHI
PRIMARY EXAMINER

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claims 58-77 are pending in the present application.

Claims 58-77 are rejected.

Request for Continued Examination

This is in response to request for amendments filed July 23, 2007 Continued Examination Under 37 CFR 1.114.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 23, 2007 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 58-77 are rejected under 35 U.S.C. 102(e) as being anticipated by Itzhak Wilf (U.S. Publication No. 20010049826 A1 and Wilf hereinafter).

Regarding Claims 58 and 69, Wilf teaches an image communications system which outputs a communication broadcasting image [0012] an audio communications system which outputs a communication broadcasting audio a closed captioning system that outputs closed captioning data [0014][0018][0040][0045]; a decoding system that decodes the image, audio and closed captioning data [0042][0049] and converts the data to a format suitable for use by a keyword generating system [0015]; a search component that utilizes search terms identified from the keyword generating system to retrieve related results [0065]; and an output component that displays the results from the search component concurrently with displaying an output corresponding to the broadcasting image, audio and closed captioning data (i.e. reads on television)[[0016].

Regarding Claim 59, Wilf teaches a search term generator that determines the search terms from the broadcasting image, audio and closed captioning data [0065].

Regarding Claim 60, Wilf teaches the search term generator decodes the broadcasting image, audio and closed captioning data and extracts the search terms from the decoded data [0042][0049].

Regarding Claim 61, Wilf teaches the decoded data is formatted as ASCII text (i.e. reads on a computer in which the standardization among hardware and software is present in all computers) [0039].

Regarding Claim 62, Wilf teaches the search term generator decodes the broadcasting image, audio and closed captioning data via an ATI All-in-wonder tuner system [0039].

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Regarding Claim 63, Wilf teaches the output component sends the results continually to a user and plays the results while the results are being sent (reads on captions)[0069][0072].

Regarding Claim 64, Wilf teaches the output component stores the results and the broadcasting image, audio and closed captioning data [0038][0082][0111].

Regarding Claim 65, Wilf teaches the results comprise uniform resource locators (URLs) [0011].

Regarding Claim 66, Wilf teaches storage component that stores a predetermined number of results and deletes aged results as new results are obtained (i.e. reads on updating) [0013][0063].

Regarding Claim 67, Wilf teaches an information presentation component that displays information associated with the results, the results are selectable such that a selected result causes information corresponding to the result to be displayed [0016].

Regarding Claim 68, Wilf teaches the broadcasting image, audio and closed captioning data, the results, and the information associated with the results are presented concurrently [0042][0049].

Regarding Claim 70, Wilf teaches selecting a result to obtain information associated with the result [0019].

Regarding Claim 71, Wilf teaches information associated with the result is a webpage [0081][0102].

Regarding Claim 72, Wilf teaches presenting the results and the broadcasting image, audio and closed captioning data upon disparate display devices [0006].

Regarding Claim 73, Wilf teaches filtering the results to focus a search [0065].

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Regarding Claim 74, Wilf teaches presenting a predetermined number of results [0013][0063].

Regarding Claim 75, Wilf teaches deleting aged results as new results are obtained (i.e. reads on updating) [0013][0063].

Regarding Claim 76, Wilf teaches sending the results continually to a user and playing the results while the results are being sent {0049}[0072].

Other Prior Art Made of Record

The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. patents and U.S. patent application publications will not be supplied with Office actions. Examiners advises the Applicant that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources. For the use of the Office's PAIR system, Applicants may refer to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diane D. Mizrahi whose telephone number is 571-272-4079. The examiner can normally be reached on Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 305-3900 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to read 'Diane Mizrahi', is written over a horizontal line.

Diane Mizrahi
Primary Patent Examiner
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Technology Center 2100

July 25, 2007